

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

HARRY SMITH, JR. and ROSLYN)
WOODARD SMITH, Individually and as)
Administrators of THE ESTATE OF)
HARRY SMITH, III)
Plaintiffs,) Case No. 04-1254-GMS
v.)
CITY OF WILMINGTON, JOHN)
CIRITELLA, THOMAS DEMPSEY, and)
MATHEW KURTEN,)
Defendants.)

STIPULATION AND ORDER

IT IS HEREBY STIPULATED by and between the undersigned counsel, subject to the approval of the Court, that the deadline for submitting rebuttal expert reports shall be extended from July 31, 2006 to August 15, 2006. This additional time is required to allow rebuttal experts sufficient time to complete written reports.

/s/ Kester I.H. Crosse
Kester I.H. Crosse (#638)
Williams & Crosse
1214 King Street
Wilmington, DE 19801
302-658-3488
kesterih@aol.com
Attorneys for Plaintiffs

K. Tyler O'Connell
John A. Parkins, Jr. (#859)
K. Tyler O'Connell (#4514)
Richards, Layton & Finger
One Rodney Square
P. O. Box 551
Wilmington, Delaware 19899
302-651-7700
Parkins@rlf.com
Oconnell@rlf.com
Attorneys for Defendants

SO ORDERED this _____ day of _____, 2006.

The Honorable Gregory M. Sleet